

Certificate of Service
Under the Foreign Sovereign Immunities Act

People's Republic of China)

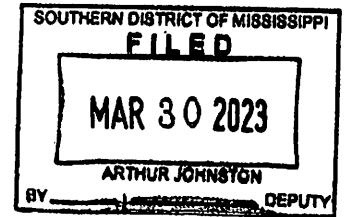
Beijing Municipality)

ss:

City of Beijing)

Embassy of the United)

States of America)



I, Briant Platt, Consul of the United States of America in Beijing, China, certify that this is a true copy of the Embassy of the United States of America, diplomatic note No. 2023-0098 dated January 18, 2023, and delivered to the Ministry of Foreign Affairs of the People's Republic of China on January 18, 2023.

A handwritten signature in black ink, appearing to read "Briant S. Platt".

Briant S. Platt

Consul of the United States of America

United States Embassy Beijing

No. 2023-0098

The Embassy of the United States of America refers the Ministry of Foreign Affairs of the People's Republic of China to the lawsuit *State of Mississippi, ex rel. Lynn Fitch v. The People's Republic of China, et al.*, 1:20-cv-00168-TBM-RPM, which is pending in the U.S. District Court for the Southern District of Mississippi Southern Division. Ministry of Emergency Management of the People's Republic of China is a defendant in this case. The Embassy transmits a Summons and Complaint herewith. The U.S. District Court for the Southern District of Mississippi Southern Division has requested service of these documents. This note constitutes transmittal of these documents to the Government of the People's Republic of China as contemplated in Title 28, United States Code, Section 1608(a)(4).

Under applicable U.S. law a defendant in a lawsuit must file an answer to the Complaint or some other responsive pleading within 60 days of the date of transmittal of the Complaint, in this case the date of this note. Failing to do so, a defendant risks the possibility of having judgment entered against it without the opportunity to present arguments or evidence on its behalf. Therefore, the

Embassy requests that the enclosed Summons and Complaint be forwarded to the appropriate authority of the People's Republic of China with a view towards taking whatever steps are necessary to avoid a default judgment.

In addition to the Summons and Complaint the Embassy is enclosing a Notice of Suit prepared by the plaintiff, which summarizes the nature of the case and includes references to U.S. laws concerning suits against foreign States, and certain other court documents that the plaintiff has requested be transmitted.

Under U.S. law any jurisdictional or other defense including claims of sovereign immunity must be addressed to the court before which the matter is pending, for which reason it is advisable to consult an attorney in the United States. It is the practice of the U.S. Department of State to be available to discuss the requirements of U.S. law with counsel. The U.S. Government is not a party to this case and cannot represent other parties in this matter.

Attachments:

1. Summons, Complaint, Notice of Suit, and Civil Cover Sheet
2. Translations

A handwritten signature in black ink, appearing to be 'BAO' followed by a stylized flourish.

Embassy of the United States of America



Beijing, January 18, 2023

非正式译文 仅供参考

第 2023-0098 号

美利坚合众国大使馆将中华人民共和国外交部提交密西西比州诉讼案，Lynn Fitch 密西西比州诉中华人民共和国，1: 20-cv-00168-TBM-RPM，此案正在密西西比州南区南区地方法院审理。 中华人民共和国应急管理部是本案的被告。 大使馆随函转递传票和投诉书。 美国密西西比州南区地方法院南部分院已要求送达这些文件。 本说明根据《美国法典》第 28 篇第 1608 (a) (4) 条的规定向中华人民共和国政府传送这些文件。

根据美国相关法律，诉讼中的被告必须在起诉书转交之日起 60 天内（在本案中为本说明之日）提交对起诉书或其他回应性诉状的答复。 如在本说明之日没有提交起诉书或者回应性诉状答复，被告将有可能在没有机会提出代表自己的论点或证据的情况下而得到不利于被告的判决。 因此，大使馆将所附传票和起诉书转交中华人民共和国有关当局，以便采取一切必要措施避免缺席判决。

除传票和起诉书外，大使馆还附上原告准备的诉讼通知书，其中概述了案件的性质，并提及了美国关于对外国提起诉讼的法律，以及原告要求转交的其他法院文件。

根据美国法律，任何管辖权或其他辩护，包括主权豁免的主张，都必须向正在审理此事的法院提出，因此建议咨询美国的律师。 美国国务院的惯

例是可与律师讨论美国法律的要求。 美国政府不是本案的当事方，也不能代表其他当事方处理此事。

附件： 1. 传票、起诉书、诉讼通知书和民事封面页
2. 翻译

美国驻华大使馆

2023 年 1 月 18 日于北京

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

THE STATE OF MISSISSIPPI,
ex rel. LYNN FITCH

Plaintiff,

Civil Action No. 1:20-cv-168-TBM-RPM

PEOPLE'S REPUBLIC OF CHINA,
et al.

Defendants.

ALIAS SUMMONS IN A CIVIL ACTION

To: Ministry of Emergency Management of the People's Republic of China
70 Guang'anmen South Street
Xicheng District, Beijing

A lawsuit has been filed against you.

Under 28 USC 1608(d), a foreign state, a political subdivision of a foreign state, or an agency or instrumentality of a foreign state must serve an answer or responsive pleading within 60 days after service. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Crystal Utley Secoy
P.O. Box 220
Jackson, MS 39205
crystal.utley@ago.ms.gov

You must also file your answer or motion with the court.

Date: APR 27 2022



ARTHUR JOHNSTON
CLERK OF COURT

Arthur Johnston
Signature of Clerk or Deputy Clerk